



IAP3 Rec'd PCT/PTO 24 JUL 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of)

MUKAIDA et al.)

Application Number: 10/567,681)

Filed: February 9, 2006)

For: POLYPEPTIDE SPECIFIC TO LIVER CANCER,)
POLYNUCLEOTIDE, ENCODING THE POLYPEPTIDE)
AND RNA MOLECULE INHIBITING THE)
EXPRESSION OF THE POLYPEPTIDE)

Attorney Docket No. ORIO.0002)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450COVER LETTER

Sir:

☒ The fee for submission of claims is calculated as shown below:

FOR	TOTAL WITH NEW CLAIMS ADDED	TOTAL CURRENTLY ON FILE	CLAIMS ALREADY PAID	RATE	CALCULATION
Total Claims	40	37	37 (Over 20)	x \$50	\$150
Independent Claims	14	0	0 (Over 3)	x \$200	\$2,200
MULTIPLE DEPENDENT CLAIM(S)				+ \$360	0
REDUCTION FOR FILING BY SMALL ENTITY (note 37 C.F.R. §§ 1.9, 1.27, 1.28).				x ½	
07/26/2007 HKAYP4GH 00000052 10567681				TOTAL	2,350.00
01 FC:1615 150.00 OP					
02 FC:1614 2200.00 OP					

In addition, the below-identified communications are submitted in the above-captioned application or proceeding:

- ☐ Response to Office Action
(w/claim amendments)
☐ Substitute Specification
☒ Preliminary Amendment
☐ Information Disclosure Statement
w/PTO Form 1449 & refs.

- ☐ Petition for Extension of Time
☐ Terminal Disclaimer
☐ Letter to Draftsperson w/___ sheets of
replacement drawings
☒ Response to Notice of Defective Response

- [] Please charge my **Deposit Account Number** _____ in the amount of \$ _____ to cover the fees for _____ 14 independent claims. A duplicate copy of this paper is enclosed.
- [x] A check in the amount of **\$2,350.00** to cover the extra independent claims fee is enclosed.
- [x] The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to **Deposit Account Number 08-1480**.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344


Juan Carlos A. Marquez
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REED SMITH LLP
3110 Fairview Park Drive
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(703) 641-4200
July 24, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

ORIO-2

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/567,681	Naofumi Mukaida	358275.20016

INTERNATIONAL APPLICATION NO.

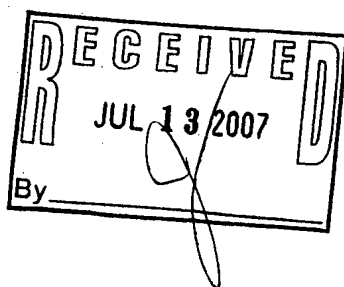
PCT/JP04/11669

I.A. FILING DATE	PRIORITY DATE
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08/06/2004

08/11/2003

32256
 REED SMITH LLP
 3110 FAIRVIEW PARK DRIVE
 FALLS CHURCH, VA 22042



CONFIRMATION NO. 2886

371 FORMALITIES LETTER



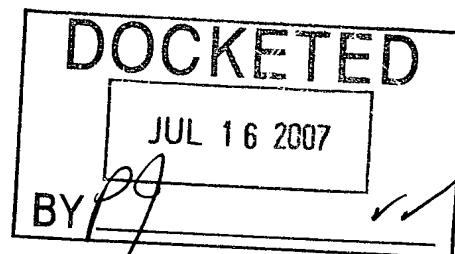
OC000000024770421

Date Mailed: 07/12/2007

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 02/09/2006
- English Translation of the IA filed on 10/27/2006
- Copy of the International Search Report filed on 02/09/2006
- Preliminary Amendments filed on 10/27/2006
- Information Disclosure Statements filed on 10/27/2006
- Biochemical Sequence Diskette filed on 10/27/2006
- Oath or Declaration filed on 10/27/2006
- U.S. Basic National Fees filed on 02/09/2006
- Priority Documents filed on 02/09/2006
- Specification filed on 10/27/2006
- Claims filed on 10/27/2006
- Abstracts filed on 10/27/2006
- Drawings filed on 10/27/2006



Applicant's response filed 10/27/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 08/28/2006 have not been completed.

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$3460 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$3460** for a Large Entity:

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$ 3460

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://spportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebs>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225 ⁹¹⁴²

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,681	PCT/JP04/11669	358275.20016

FORM PCT/DO/EO/916 (371 Formalities Notice)

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AND RNA MOLECULE INHIBITING THE)
EXPRESSION OF THE POLYPEPTIDE)
Attorney Docket No. ORIO.0002)
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

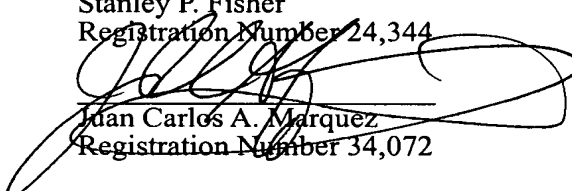
Upon a review of the Notification of Defective Response mailed July 12, 2007, advising Applicants to correct the sequence listing, Applicants' representative ascertained that the proper sequence listing and diskette were submitted at the time of initial filing of the application on February 9, 2006. Applicants' representative contacted Ms. Vonda M. Wallace by telephone on July 18, 2007, at the Office of Initial Patent Examination. Ms. Wallace reviewed the Notification and our previous submission and confirmed that the proper sequence listing and diskette had already been submitted and no further submission was necessary.

The Notice was dated July 12, 2007, the period for response to which is set to expire on August 12, 2007.

Please direct any inquiries in connection with this application to the undersigned.

Respectfully submitted,

Stanley P. Fisher
Registration Number 24,344



Juan Carlos A. Marquez
Registration Number 34,072

REED SMITH LLP
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Suite 1400
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